

Docket No.: 50179-101

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Ian L. BROWN, et al.

Serial No.: Divisional of  
Appl. Serial No. 09/155,116

Filed: February 12, 2002

For: ALTERATION OF MICROBIAL POPULATIONS IN THE GASTROINTESTINAL  
TRACT

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Group Art Unit: To be assigned

Examiner: To be assigned



**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

The references were cited by or submitted to the U.S. Patent and Trademark Office in parent application Serial No. 09/155,116 , filed January 29, 1999 , which is relied upon for an

Serial No.: Divisional of  
Appln. Serial No. 09/155,116

earlier filing date under 35 USC 120. Thus, copies of these references are not attached. 37 CFR 1.98(d).

A copy of the foreign search report filed in the parent application is likewise attached for the Examiner's information. Please note that the parent application Serial No. 09/155,116 was filed as a national stage entry of a PCT application and that copies of the references cited were transmitted by WIPO and are believed to be in the file of the parent application and readily available to the Examiner.


Respectfully submitted,

MCDERMOTT, WILL & EMERY



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<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <b>(PTO-1449)</b>				ATTY. DOCKET NO. <b>50179-101</b>		SERIAL NO. <b>Divisional of Appln. Serial No. 09/155,116</b>	
				APPLICANT <b>Ian L. BROWN, et al.</b>			
				FILING DATE <b>February 12, 2002</b>		GROUP <b>To be assigned</b>	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	5,147,668	9/15/92	Munk	426	61	<div style="writing-mode: vertical-rl; transform: rotate(180deg);">           1046 U.S. PTO            10/072942            02/12/02         </div> 	
	5,143,845	9/1992	Masuda	435	252.4		
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
	8-310960	11/26/96	Japan (with English abstract)				
	96/08261	3/21/96	PCT				
	0659769	6/28/95	Europe				
	21247/67	11/7/68	Australia				
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	Nutrition Reports International, vol. 15, No. 2, February 1977, Bruns et al, "Effect of Modified Starch on the Microflora of the Small Intestine and Caecum of Rats", pp. 131-138						
EXAMINER				DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.